

LISTING OF THE CLAIMS

Claim 1 (currently amended): A foot covering for enclosing a wearer's forefoot, instep, heel and ankle while wearing footwear lacking an enclosed heel, comprising:

~~a sock including a first fabric material layer having respective a toe portion and an instep and heel base portions for receiving and enclosing sized to enclose the wearer's foot forefoot inserted through a sock opening extended above said heel base portion, said first fabric layer is composed of a thin elastic material and includes a transition seam circumferentially disposed across said instep portion of said first fabric layer, and, said first fabric material further having a heel base portion adapted to extend beneath the wearer's heel; and,~~

a second fabric material disposed to cover the wearer's instep, heel, and ankle, said second fabric material having a leading edge ~~attached to said transition seam on said instep portion of said first fabric layer,~~ said second fabric material having a thickness greater than said first fabric ~~material layer~~ and having an ankle portion extended a sufficient length above said heel base portion of said first fabric layer to encircle the wearer's ankle, said second fabric material cooperating with said heel base portion to encircle the wearer's heel, + said second fabric material leading edge joined to said instep and heel base portions of said first fabric layer;

whereby ~~said thin first fabric layer~~ material encloses the wearer's forefoot and minimizes stretching of footwear worn with said sock, and said second fabric material covers the wearer's instep, heel, and ankle for warmth while wearing footwear lacking an enclosed heel.

Claim 2 (currently amended): The foot covering of Claim 1 wherein said first fabric ~~layer~~ material includes said toe, instep and heel base portions extending to encircle the forefoot and forming a substantially continuous sole portion of ~~said~~ a thin elastic material having a low coefficient of friction thereby maximizing ease of insertion of the wearer's forefoot enclosed by said first fabric ~~layer~~ material into footwear lacking an enclosed heel without stretching a forefoot portion of the footwear.

Claim 3 (currently amended): The foot covering of Claim 2 wherein ~~said transition seam of said first fabric layer extends to circumferentially traverse an upper half of said instep~~

~~portion of said first fabric layer, said upper half of said instep portion encircling the wearer's foot proximal of a medial arch, an instep, and an outer side of the wearer's foot without extending along said sole portion of said first fabric layer~~material.

Claim 4 (currently amended): The foot covering of Claim 2 wherein said first fabric layermaterial includes a first material selected from the group consisting of a natural fibrous material interwoven with a synthetic elastic textile material.

Claim 5 (currently amended): The foot covering of Claim 1 wherein said second fabric material includes said leading perimeter ~~attached to said transition seam of said first fabric layer~~ disposed along an upper portion of the wearer's instep, said second fabric material extending distally from said leading perimeter to enclose the heel and ankle of the wearer's foot without enclosing a sole of the wearer's foot, thereby only said first fabric layermaterial encloses the sole of the wearer's foot.

Claim 6 (original): The foot covering of Claim 5 wherein said second fabric material includes an elastic material interwoven with a second material selected from the group consisting of wool, cotton, silk, nylon, acrylic fibers, polyester fibers, and polypropylene fibers.

Claim 7 (currently amended): The foot covering of Claim 4 wherein said second fabric material includes a second layer of material disposed in overlying relation of said transition seam and extending to said heel base portion of said first fabric layermaterial, said second layer of material selected from the group consisting of wool, cotton, silk, nylon, acrylic fibers, polyester fibers, polypropylene fibers, and elastic fibers.

Claim 8 (currently amended): A foot covering enclosing a wearer's foot and ankle while wearing footwear lacking a heel enclosure, comprising:

~~a tubular sock including a first fabric layer~~material composed of a thin resiliently stretchable material sized to enclose the wearer's forefoot within respective toe, forefoot, and instep ~~and heel portions, said first fabric layer having a transition seam circumferentially disposed proximal of said instep portion; and~~

a second fabric ~~layer of~~ material having a thickness greater than said first fabric ~~layer material~~, said second fabric ~~layer material~~ having a leading edge attached in overlaying orientation to an edge of said transition seam of said first fabric layer material, and said second fabric material having body and ankle portions sized to cover the heel and ankle of the wearer's foot;

whereby said first fabric ~~layer material~~ encloses the wearer's forefoot in thin material to minimize stretching of footwear and said second fabric ~~layer material~~ covers the wearer's heel and ankle for warmth while wearing footwear lacking the heel enclosure.

Claim 9 (currently amended): The foot covering of Claim 8 wherein said first fabric ~~layer material~~ ~~includes said thin stretchable~~ comprises a material having a low coefficient of friction thereby maximizing ease of insertion of the wearer's forefoot enclosed by said first fabric ~~layer material~~ into footwear lacking the heel enclosure without excessive stretching of a forefoot portion of the footwear by the wearer's forefoot covered by said first fabric ~~layer material~~.

Claim 10 (cancelled): The foot covering of Claim 9 wherein said transition seam of said first fabric layer extends circumferentially around a mid-portion of said sock, said mid-portion encircling the wearer's foot proximal of a medial arch, an instep and an outer side of the wearer's foot.

Claim 11 (currently amended): The foot covering of Claim ~~10~~ wherein said thin stretchable material is selected from the group consisting of a natural fibrous material interwoven with a synthetic elastic textile material.

Claim 12 (currently amended): The foot covering of Claim 8 wherein said second fabric ~~layer material~~ includes a fabric material having a thick density and having said perimeter edge attached to ~~said transition seam of said first fabric layer material~~, said second fabric ~~layer material~~ extends distally from ~~said transition seam~~ an interface between said first and second fabric materials to enclose lateral surfaces of the wearer's heel and ankle.

Claim 13 (currently amended): The foot covering of Claim 12 wherein said second fabric ~~layer material~~ includes material selected from the group consisting of wool, cotton, silk, nylon, acrylic fibers, polyester fibers, polypropylene fibers, and elastic fibers.

Claim 14 (currently amended): A sock enclosing a wearer's foot and ankle to facilitate wearing of footwear lacking a heel enclosure, comprising:

a tubular sock including a first fabric layer composed of a thin resiliently stretchable material sized to enclose the wearer's foot in respective toe, forefoot, instep and heel portions; ~~said first fabric layer having a transition seam circumferentially disposed proximal of said instep portion; and~~

a second fabric layer of material having a thickness greater than said first fabric layer, said second fabric layer having a leading edge ~~attached~~ circumferentially disposed proximal of said instep portion in overlaying orientation to said ~~transition seam of said first fabric layer~~ first fabric layer, said second fabric layer ~~and~~ having body and ankle portions sized to cover the heel and ankle of the wearer's foot;

whereby said first fabric layer encloses the wearer's forefoot in thin material to minimize stretching of footwear and said second fabric layer covers the wearer's heel and ankle for warmth while wearing footwear lacking the heel enclosure.

Claim 15 (withdrawn): The sock of Claim 14 wherein said first fabric layer enclosing said toe portion of the wearer's foot includes at least one toe pocket for enclosure of the wearer's big toe separate from the first fabric layer of thin resiliently stretchable material enclosing the remaining toes, forefoot, instep and heel of the wearer.

Claim 16 (previously presented): The sock of Claim 14 wherein said first fabric layer includes said thin stretchable material having a low coefficient of friction thereby maximizing ease of insertion of the wearer's forefoot enclosed by said first fabric layer into a forefoot portion of footwear lacking the heel enclosure without stretching of the forefoot portion of footwear by the wearer's forefoot covered by said first fabric layer.

Claim 17 (currently amended): The sock of Claim 16 wherein ~~said transition seam of said first fabric layer extends circumferentially around said instep portion of said sock, said instep portion encircling~~ the wearer's foot proximal of a medial arch, an instep, and an outer side of the wearer's foot.

Claim 18 (original): The sock of Claim 17 wherein said thin stretchable material is selected from the group consisting of a natural fibrous material interwoven with a synthetic elastic textile material.

Claim 19 (currently amended): The sock of Claim 14 wherein said second fabric layer includes a fabric material having a thick density and having said leading edge ~~attached to~~ circumferentially disposed proximal of said instep portion of said transition seam of said first fabric layer first fabric layer, said second fabric layer extending distally of said ~~transition seam~~ leading edge to enclose lateral surfaces of the wearer's heel and ankle.

Claim 20 (original): The sock of Claim 19 wherein said second fabric layer includes material selected from the group consisting of wool, cotton, silk, nylon, acrylic fibers, polyester fibers, polypropylene fibers, and elastic fibers.